

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

IN RE: Bard IVC Filters Products Liability
Litigation,

No. MDL15-2641 PHX DGC

**ORDER GRANTING AGREED
MOTION TO ESTABLISH THE
GOLDENBERG BARD IVC
QUALIFIED SETTLEMENT
FUND AND TO APPOINT FUND
ADMINISTRATOR**

Upon Agreed Motion of the Parties (Doc. 21613), and for good cause shown, the Court hereby ORDERS as follows:

1. The “Goldenberg Bard IVC Qualified Settlement Fund” (the “Fund”) shall be established as a Qualified Settlement Fund within the meaning of Treas. Reg. Section 1.468B-1, and shall remain subject to the continuing jurisdiction of this Court, as required by Treas. Reg. Section 1.468B-1(c)(1).

2. ARCHER Systems, LLC is appointed as Fund Administrator pursuant to the terms, conditions, and restrictions of the Agreed Motion to Establish Qualified Settlement Fund and the Master Settlement Agreement referenced therein, and said Fund Administrator are granted the authority to conduct any and all activities necessary to administer this Fund as described in said Motion and Master Settlement Agreement. The Fund Administrator shall be the administrator of the Fund within the meaning of Treasury Regulation Section 1.468B-2(k)(3).

3. No bond is required for the Fund and the Fund, which includes all principal and interest earned thereon, shall be deposited in an account comprised of (a) any

1 obligations of, or any obligation guaranteed as to principal and interest by, the United
2 States of America or any agency or instrumentality thereof, including the Federal Deposit
3 Insurance Corporation; or (b) U.S. dollar denominated deposit accounts with domestic
4 commercial or national banks that have a short term issuer rating on the date of purchase
5 of “A-1” or better by S&P or “Prime-1” or better by Moody’s and maturing no more than
6 360 days after the date of purchase (provided that ratings on holding companies are not
7 considered as the rating of the bank); or (c) money market accounts or money market funds
8 registered under the Federal Investment Company Act of 1940, whose shares are registered
9 under the Securities Act, and rated “AAAm” or “AAAm-G” or better by S&P, and “Aaa,”
10 “Aa1” or “Aa2” if rated by Moody’s, including any mutual fund for which the Fund
11 Administrator or an affiliate of the Fund Administrator serves as investment manager,
12 administrator, shareholder servicing agent, and/or custodian. The Fund shall be held at
13 Citibank, NA, which is a financial institution doing business in the State of New York
14 (hereinafter “Escrow Agent”), for the benefit of and titled in the legal name of the Fund
15 according to the terms and conditions of the Master Settlement Agreement, and said
16 financial institution shall be responsible for any and all investment related decisions,
17 pursuant to these terms and conditions. Notwithstanding the foregoing, Escrow Agent shall
18 not be allowed to distribute any income or principal from the Fund except upon the written
19 instructions of the Fund Administrator upon written approval or authorization by Bard, or
20 if requested, upon an order of this Court in accordance with, or as may be otherwise
21 provided in, the Master Settlement Agreement.

22 4. The Fund is authorized to enter into agreements with persons requesting the
23 use of settlements with periodic payments.

24 5. The Fund is authorized to effect non-qualified or qualified assignments of
25 any resulting structured settlement liability within the meaning of Section 130(c) of the
26 Internal Revenue Code to the qualified assignee in compliance with all the requirements of
27 Section 130 of the Internal Revenue Code and Rev. Proc. 93-94, 1993-2 C.B. 470 as
28 directed in writing by Claimants or their counsel.

